

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

| NO.

Plaintiff,

v.

SERVICE WEST, INC., a California corporation.

COMPLAINT TO COLLECT TRUST FUNDS

Defendant.

The Plaintiff alleges:

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It is an organization incorporated under the laws of the State of Washington, with its principal place of business in King County, and is the authorized administrative agency for and the assignee of the Western Conference of Teamsters Pension Trust Fund (hereinafter "Trust").

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Defendant is a California corporation.

III

This Court has jurisdiction over the subject matter of this action under §301(a) of the Taft-Hartley Act, 29 U.S.C. §185(a).

COMPLAINT TO COLLECT TRUST FUNDS

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1 IV.

2 Defendant is bound to a collective bargaining agreement with Local 2785 of the
3 International Brotherhood of Teamsters (hereinafter "Local"), under which the Defendant is
4 required to promptly and fully report for and pay monthly contributions to the Trust at
5 specific rates for each hour of compensation (including vacations, holidays, overtime and sick
6 leave) said Defendant pays to its employees who are members of the bargaining unit
7 represented by the Local (such bargaining unit members are any of the Defendant's part time
8 or full time employees who perform any work task covered by the Defendant's labor contract
9 with the Local whether or not those employees ever actually join the Local).

10 V.

11 Defendant accepted the Trust's Trust Agreement and agreed to pay liquidated damages
12 equal to twenty percent (20%) of all delinquent and delinquently paid contributions due the
13 Trust, together with interest accruing upon such delinquent contributions at varying annual
14 rates, from the first day of delinquency until fully paid, as well as all attorneys fees and costs
15 the Trust incurs in connection with Defendant's unpaid obligations.

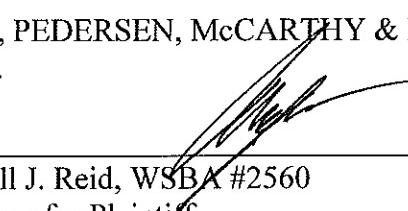
16 VI.

17 Defendant submitted its remittance reports for the period August 1, 2012 through July
18 31, 2013, but failed to pay the total contributions owed for that period, leaving it underpaid in
19 the amount of \$7,146.00. Based on Defendant's unpaid contributions for the period August 1,
20 2012 through July 31, 2013, Defendant is further obligated for liquidated damages in the
21 amount of \$1,429.10, as well as interest accruing and attorneys' fees and costs.
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1 WHEREFORE, the Plaintiff, on the Trust's behalf, prays the court as follows:

- 2 1. That it be granted judgment against Defendant for:
- 3 A. All delinquent contributions due the Trust;
- 4 B. All liquidated damages and pre-judgment interest due the Trust;
- 5 C. All attorneys' fees and costs incurred by the Trust in connection with
- 6 Defendant's delinquently paid and unpaid obligations; and
- 7 D. Such other and further relief as the court may deem just
- 8 and equitable.

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10 DATED this 17th day of June, 2014.

11 REID, PEDERSEN, McCARTHY & BALLEW,
12 L.L.P.


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14 Russell J. Reid, WSBA #2560
Attorney for Plaintiff
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